

**CERTIFICATE OF EXPRESS MAIL (37 CFR 1.10) Label No. EJ939592799US.**

I hereby certify that the attached papers or fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date shown below in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Jan. 12, 2001  
(Date)

Mary Rutkowski  
(Printed Name)

Mary Rutkowski  
(Signature)

Docket No. SEE 36525/US/N3

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

**APPLICATION OF: Willem F. Broekaert et al.**

**SERIAL NUMBER: Not Assigned**

**GROUP ART UNIT: Not Assigned**

**FILED: Not Assigned**

**EXAMINER: Not Assigned**

**FOR: Biocidal Proteins**

Assistant Commissioner for Patents  
Washington, DC 20231

**PRELIMINARY AMENDMENT**

Sir:

Prior to a first Office Action, please amend the above-identified patent application as follows.

**IN THE CLAIMS:**

Cancel claim 1 without prejudice.

Add the following new claims.

--44. An isolated DNA sequence encoding an antimicrobial protein having the amino acid sequence of amino acids 30-80 of SEQ ID NO: 49 or the amino acid sequence of amino acids 30-80 of SEQ ID NO: 59.

45. The isolated DNA sequence of claim 44 wherein said DNA sequence encodes the amino acid sequence of amino acids 30-80 of SEQ ID NO: 49.

46. The isolated DNA sequence of claim 45 wherein said DNA sequence has the sequence of bases 103-255 of SEQ ID NO: 48.

47. The isolated DNA sequence of claim 44 wherein said DNA sequence encodes the amino acid sequence of amino acids 30-80 of SEQ ID NO: 59.